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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,248	10/19/2000	Mitsuteru Kataoka	2000 1450A	5018

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EXAMINER	
REILLY, SEAN M	

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/691,248	KATAOKA, MITSUTERU	
	Examiner	Art Unit	
	Sean Reilly	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15,17-22,24-29 and 31-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15, 17-22, 24-29 and 31-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on July 24, 2006. Claims 15, 17-22, 24-29 and 31-37 are presented for further examination. All independent claims have been amended.

Response to Arguments

Applicant's arguments are moot in view of the new grounds of rejection set forth.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. Claims 15, 17-18, 21-22, 24-25, 28-29, 31-32, and 35-37 are rejected 35 U.S.C. 103(a) as being unpatentable over Katinsky et al. (U.S. Patent No. 6,452,609, hereinafter "Katinsky") and Applicant's admitted prior art.

In considering claim 15, Katinsky discloses a storage-based broadcasting system (i.e. web server that serves web pages across the Internet) for supplying a plurality of services to a requesting client terminal, each of the plurality of user interfaces being respectively unique to one of the plurality of services (i.e. where a service may be one of news or sports for instance and the interface is unique since the content of the service is in and of itself unique, Col 4, lines 37-49), which are each composed of content stored in said system (i.e. supplying an webpage-

embedded multimedia player to present multimedia content, see Fig. 1, col. 4, lines 6-25), said system comprising:

Transmission means for transmitting a browser (media access web page 10), in a non-executable data format, as part of the content (i.e. the embedded multimedia player constitutes "control content," which is sent via a wire or radio wave which are both non-executable formats), the control content being transmitted by said transmission means so as to generate the user interface (i.e. the computer code that constitutes the multimedia player is transmitted and is used to generate the viewable player interface); and

Receiving means for receiving and activating the transmitted control content so as to execute the one of the plurality of user interfaces (i.e. the computer code is received and is executed by a browser to display the player), wherein one of the user interface is transmitted by said transmission means as the browser and received by said receiving means as at least part of the content while one of the plurality of services to which to one of the plurality of user interfaces is unique is transmitted as the remaining part of the content (i.e. the multimedia player is the control content and it is transmitted to the client as part of the web page content). See Fig. 1, col. 4, lines 6-25; col. 10, lines 17-25, describing the web page interface and sending the web page interface from a server to a client.

Wherein each browser received by said receiving means is automatically installed on the requesting client terminal so as to execute one of the plurality of user interfaces for uniquely presenting a respective one of the plurality of services without requiring a user of the client terminals to separately obtain and determine a browser respectively corresponding to the one of the plurality of services (i.e. when the user requests the webpage containing the multimedia

player and content the system automatically displays the multimedia player page along with the content without user intervention);

Wherein each one of the plurality of services is uniquely presented by one of the plurality of user interfaces (i.e. where a service may be one of news or sports for instance and the interface is unique since the content of the service is in and of itself unique, Col 4, lines 37-49).

Katinsky disclosed the invention substantially as claimed however Katinsky failed to specifically recite that a different browser is transferred in a non-executable data format, as at least part of the content for each one of the plurality of services and each service is generated by the different browser for each one of the plurality of services. Nonetheless Applicant's admitted prior art disclosed a broadcasting system similar to Katinsky's broadcasting system where a different browser (Applicant's admitted prior art pg 2, lines 9-11) is transferred in a non-executable data format (i.e. the browser is multiplexed with the content and thus must be de-multiplexed prior to any execution, see pg 5, line 25 – pg 6, line 5, pg 6, line 23 – pg 7, line 17), as at least part of the content for each of the plurality of services (again the browser and content is multiplexed during transfer) and each service is generated by the different browser for each one of the plurality of services (each browser is correlated with a particular service and the content for that service, e.g. B(S1), C(S1, 1) pg 7, lines 15-23). Applicant's admitted prior art further disclosed that such a broadcast scheme allows a flexible user interface to be achieved for each service and also allows each browser to be easily updated (Applicant's admitted prior art, pg 2, lines 9-15. Thus, it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to incorporate Applicant's admitted prior art broadcast scheme, as

discussed above, within Katinsky's broadcasting system in order to achieve a flexible user interface for each service and to allow each browser to be easily updated.

In considering claim 17, Katinsky further discloses that the transmission means comprises:

Content pitching (i.e. sending) means for sending the content including the control content (inherent in a server that sends a web page to a client);

Service property information transmitting means for transmitting property information for indicating properties of the service (e.g. marking the information news or sports, see inter alia Figure 2b and Col 8, lines 33-41); and

Wherein the receiving means receives the transmitted property information and determines, based on the content and the service property information, the control content from among the received content (i.e. the client receives the news content along with the display information and necessarily determines the two contents to display the information to the user; Col 8, lines 33-41).

In considering claim 18, Katinsky further discloses the content sending means adds to the content a content header for defining the content (inherent in order to send the content from the client to the server), and the receiving content uses the header to determine the control content from the rest of the received content (also inherent, since the client must read the header to process the information).

In considering claim 21, Katinsky further discloses that the content sending means comprises content ID space management means for sending information for defining a part of an ID space of the content, and the receiving means comprises designation means for designating the control content based on a content ID included in the defined part of the ID space (e.g. marking the information news or sports, see inter alia Figure 2b and Col 8, lines 33-41).

In considering claims 22, 24-25, and 28, claims 22, 24-25, and 28 present a method for performing the same steps described in claims 15, 17-18, and 21 respectively. Therefore, claims 22, 24-25, and 28 are rejected for the same reasons stated with regard to claims 15, 17-18, and 21 respectively.

In considering claims 29, 31-32 and 35, claims 29, 31-32 and 35 present equivalent limitations as claims 15, 17-18, and 21, and are thus rejected for the same reasons.

In considering claim 36, Katinsky further discloses a delivery unit to receive the content by the transmission unit and to transmit the content to the receiving unit (i.e. the network inherently includes intermediate devices that receive the server content and transmit it along a route to the receiving unit).

In considering claim 37, Katinsky further discloses that the content is transmitted as a digital bit stream to the delivery unit, which transmits the content as a digital bit stream to the receiving unit (i.e. messages sent across the Internet are inherently sent as digital bit streams).

2. Claims 19-20, 26-27, and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky and Applicant's admitted prior art, in further view of Herz et al. (U.S. Patent No. 5,835,087, hereinafter "Herz").

In considering claims 19, 26, and 33 (which describe a system and method for performing the same steps), although the system taught by Katinsky discloses substantial features of the claimed invention, it fails to disclose the use of public keys and electronic signatures in conjunction with the control content, as claimed. Nonetheless, the use of public keys and electronic signatures in combination with control content, in systems that supply customized news and other information to users across the Internet, is well known, as evidenced by Herz (see Abstract and cols. 37-40, describing a detailed security system for controlling access to server information in a user-customized web page system). Thus, given the teaching of Herz, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using a public key and electronic signatures with the system taught by Katinsky, so that users can maintain their own profiles without the threat of others hacking into the system and maliciously stealing user information or changing user settings. Therefore, it would have been obvious to include the claimed public key and electronic signature features, as taught by Herz, in the system taught by Katinsky.

In considering claims 20, 27, and 34, Herz further discloses that the key used for authentication of the electronic signature is unique to the service (Abstract, cols. 37-40, wherein the signature and public key are unique to a user's target profile).

Conclusion

3. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 10, 2006

WILLIAM VAUGHN
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